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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, VA 22320

EXAMINER	
MOE, AUNG SOE	

ART UNIT	PAPER NUMBER
2612	3

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/989,399	EJIMA, SATOSHI	
	Examiner	Art Unit	
	Aung S. Moe	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-20 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 09/752,772.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 11/21/01.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

2. Claims 1-7 and 10-20 are objected to because of the following informalities:

In claim 1, lines 2, please change "comprising;" to --comprising:--;

In claim 10, line 2, please change "comprising;" to --comprising:--;

In claim 15, line 2, please change "steps of;" to --steps of:--.

Appropriate correction is required.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

With respect to claim 9 of the present claimed invention, it is noted that claim 9 recited that "the retrieval means retrieves information having the **latest input day and time**, if no information having the day and time designated by the designation means matches the day and

time information from the recording means". However, the Specification merely stated (at page 32, lines 33-36) that "if the data recorded on the date designated in the calendar *does not exist*, the recording data having the recording date which is **closest to the designated date is reproduced**."

In view of the above, it is appeared that the "**closest to the designated date**" is retrieved for the reproduction, if the designated date information **does not match** with the recorded date information.

Therefore, the clarification/correction on the above-mentioned subject matter is respectfully requested.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4, 10-11, 13, 15-16, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuba et al. (U.S. 5,806,072).

Regarding claim 1, Kuba '072 discloses an information processing apparatus (i.e., Figs. 1-2, 67, 75, and 83) of the type which record information, comprising:

input means (i.e., Fig. 3) for inputting information; clock means for clocking day and time information (Fig. 7; col. 15, lines 35-50; and col. 29, lines 5+);

recording means for recording the information input from the input means, and for recording day and time information form the clock means at the time of inputting the information (see Figs. 7, 30B, 51 and 52; col. 15);

composition means (Figs. 2 and 22, the elements 10 and 39) for composing a reproducing object (i.e., the images) according to the day and time information recorded by the recording means (col. 22, lines 15-35, col. 23, lines 1-45; col. 25, lines 54+);

selecting means for selecting, in desired order, at least one reproduction object composed in the composition means (Figs. 26 and 27A-27B; col. 22, lines 15+ and col. 23, lines 5+); and

reproduction means for reproducing the information contained in the reproduction object selected by the selecting means, according to the day and time information recorded in the recording means (i.e., noted that the corresponding date/time information of the image data is recorded, thus, the image data may be selected in accordance with the corresponding data/time information for the reproduction; see Figs. 26-30B; col. 24, lines 10+).

Regarding claim 2, Kuba '072 discloses wherein the selection means selects the reproduction object in the order of the earliest day and time information (Noted the image data along with the corresponding date/time information stored in the data file areas of the memory may be selected in any desirable sequence, such that the earliest sequence; See Figs. 26-27B; col. 22, lines 61-68, col. 23, lines 20+).

Regarding claim 4, Kuba '072 discloses wherein the reproduction means reproduces the information contained in the reproduction object (i.e., the image) selected by the selection means in the order of the earliest day and time information (Noted the image data along with the corresponding date/time information stored in the data file areas of the memory may be reproduced in any desirable sequence, such that the earliest sequence; See Figs. 26-27B; col. 22, lines 61-68, col. 23, lines 20+)

Regarding claim 10, Kuba '072 discloses an information processing apparatus (i.e., Figs. 1-2, 67, 75, and 140) of the type which records information, comprising:

an input unit for inputting information (i.e., Fig. 3 & 140, the element 115; col. 14, lines 37+ and col. 49, lines 57+); a clock producing day and time information (Figs. 7 and 140; the element 111; col. 15, lines 35-50, col. 29, lines 5+, col. 49, lines 52-55);

a recording unit, connected to the input unit and the clock, which records the information input from the input and day and time information from the clock produced at the time of inputting the information (Figs. 140 & 143, the elements 116, 113, 111 and 115; col. 24, lines 5+ and col. 50, lines 5-10);

a composition unit, connected to the recording unit, for composing a reproduction object according to the day and time information in the recording unit (Figs. 22/140, the elements 25/39 or 108/112; col. 23, lines 5+);

a selection unit, connected to the recording unit, which selects in predetermined order, at least one reproduction object composed in the composition unit (noted the use of the operation SW; see Figs. 26, 27A/27B, 22 & 140; col. 22, lines 15+ and col. 23, lines 5+)

a reproduction unit, connected to the recording unit (see Figs. 22/26/140), which reproduces the information contained in the reproduction object selected by the selection unit (i.e., noted the use of "OPERATION SECTION/SW"), according to the day and time information in the recording unit (Fig. 29).

Regarding claim 11, Kuba '072 discloses wherein the selection unit selects the reproduction object in the order of the earliest day and time information (Noted the image data along with the corresponding date/time information stored in the data file areas of the memory may be selected in any desirable sequence, such that the earliest sequence; See Figs. 26-27B; col. 22, lines 61-68, col. 23, lines 20+).

Regarding claim 13, Kuba '072 discloses wherein the reproduction unit reproduces the information contained in the reproduction object selected by the selection unit in the order of the earliest day and time information (Noted the image data along with the corresponding date/time information stored in the data file areas of the memory may be reproduced in any desirable

sequence, such that the earliest sequence; See Figs. 26-27B; col. 22, lines 61-68, col. 23, lines 20+).

Regarding claim 15, Kuba '072 discloses a method for processing information, comprising the steps of:

inputting information (Figs. 3, 12 & 28; col. 14, lines 37+); clocking day and time information at the time of the inputting (Figs. 28/30B; col. 24, lines 5+ and col. 29, lines 6-10);

recording the information input and the day and time information clocked at the time of inputting the information (Figs. 7/30B, col. 15, lines 35 and col. 24, lines 5+);

composing a reproduction object according to the day and time information recorded by the step of recording (Figs. 28-29, col. 23, lines 40+);

selecting, in desired order, at least one reproduction object composed in the composing step; and reproducing the information contained in the reproduction object selected by the step of selecting, according to the day and time information means (i.e., noted that the corresponding date/time information of the image data is recorded, thus, the image data may be selected in accordance with the corresponding data/time information for the reproduction; see Figs. 26-30B; col. 24, lines 10+).

Regarding claim 16, Kuba '072 discloses wherein the step of selecting comprises the step of selecting the reproduction object in the order of the earliest day and time information (Noted the image data along with the corresponding date/time information stored in the data file areas of

the memory may be selected in any desirable sequence, such that the earliest sequence; See Figs. 26-27B; col. 22, lines 61-68, col. 23, lines 20+).

Regarding claim 18, Kuba '072 discloses wherein the step of reproducing comprises the step of reproducing the information contained in the reproduction object selected in the order of the earliest the day and time information.

Regarding claims 20, Kuba '072 discloses the step of composing a predetermined reproduction object if the time difference between the input day and time information of the first input information, and the input day/time of the second input information recorded immediately before or immediately after the first input information, is within a predetermined time interval (noted that the recording data 32-35 as shown in the figure 25 and the recording data 31-33 as shown in the figure 29 is considered to be the predetermined reproduction object because such information data are recorded within a predetermined time or day and they are relating to the same event; see col. 15, lines 9+, col. 22, lines 15+, col. 23, col. 23, lines 5+ and Fig. 55).

6. Claims 1, 3, 5-7, 10, 12, 14, 15, 17 and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mizoguchi (U.S. 5,805,215).

Regarding claim 1, Mizoguchi '215 discloses an information processing apparatus (i.e., Figs. 1 and 10; col. 4, lines 65+) of the type which record information, comprising:

input means (i.e., Fig. 10, col. 5, lines 40-55) for inputting information; clock means for clocking day and time information (Fig. 10; the element 43 and noted the time information as stated in col. 6, lines 15-20 and col. 7, lines 55+);

recording means for recording the information input from the input means, and for recording day and time information (i.e., noted that time data as disclosed by Mizoguchi '215 includes the day and time information such that "1993/01/22/08/00") form the clock means at the time of inputting the information (see Figs. 1 & 10, the elements 5, 41 and 42; col. 5, lines 30-35, col. 6, lines 59-65);

composition means (Figs. 4B & 10) for composing a reproducing object according to the day and time information recorded by the recording means (col. 5, lines 30-35; col. 7, lines 10+, col. 8, lines 10+);

selecting means for selecting, in desired order, at least one reproduction object composed in the composition means (i.e., noted that recorded information may be selected in desired order by selecting at least one of "Event", "Person", "Place" or "Other Data" as shown in 9A-9D; Also see col. 8, lines 10+); and

reproduction means for reproducing the information contained in the reproduction object selected by the selecting means, according to the day and time information recorded in the recording means (i.e., See Figs. 9A-9D; col. 5, lines 30-36, col. 7, lines 55+ and col. 8, lines 40+).

Regarding claim 3, Mizoguchi '215 discloses wherein the selection means selects the reproduction object in the order of the latest day and time information (col. 8, lines 35-36 and col. 8, line 48).

Regarding claim 5, Mizoguchi '215 discloses wherein the reproduction means reproduces the information contained in the reproduction object selected by the selection means in the order of the latest day and time information (i.e., Noted that the latest image data captured on 1993/01/22/08/00 is respectively selected and reproduced as shown in Figs. 9A-9D; see col. 8, lines 35-36 and col. 28, lines 48).

As for claims 6, Mizoguchi '215 shows wherein the composition means composes the reproduction object using one day as a unit (see Fig. 4B and col. 7, lines 10+ of Mizoguchi '215).

As for claim 7, Mizoguchi '215 shows wherein the composition means composes a predetermined reproduction object if the time difference between the input day and time information (i.e., noted that the associated input time data includes the day and time information, such that "1993/01/22/08/00-1993/01/22/17/00" as discussed in col. 7, lines 10-15) of a first input information, and the input day and time of a second input information recorded immediately before or immediately after the first input information, is within a predetermined time interval (i.e., noted that if the input information, e.g., the information A and information B as shown in Fig. 7A, are within a predetermined time interval such that "1993/01/22/08/00-1993/01/22/17/00", then such information is composed as a predetermined reproduction object

such as "Golf"; Please see col. 7, lines 1-35 and the figures' 4A-4C and 7A-7B of Mizoguchi '215).

Regarding claim 10, Mizoguchi '215 discloses an information processing apparatus (i.e., Figs. 1 and 10) of the type which records information, comprising:

an input unit for inputting information (i.e., Fig. 10, col. 5, lines 40-55); a clock producing day and time information (Fig. 10; the element 43 and noted the time information as stated in col. 6, lines 15-20 and col. 7, lines 55+.); a recording unit, connected to the input unit and the clock, which records the information input from the input and day and time information from the clock produced at the time of inputting the information (Fig. 10, col. 5, line 65-col. 6, lines 20);

a composition unit, connected to the recording unit, for composing a reproduction object according to the day and time information in the recording unit (Figs. 4B & 10, the elements 50/45; col. 5, lines 30-35; col. 7, lines 10+; col. 8, lines 10+);

a selection unit, connected to the recording unit, which selects in predetermined order, at least one reproduction object composed in the composition unit (Fig. 10, the elements 7, 17 & 15; col. 8, lines 10+) and

a reproduction unit, connected to the recording unit, which reproduces the information contained in the reproduction object selected by the selection unit, according to the day and time information in the recording unit (see Figs. 10 & 9A-9D; col. 5, lines 30-36, col. 7, lines 55+ and col. 8, lines 40+).

Regarding claim 12, Mizoguchi '215 discloses wherein the selection unit selects the reproduction object in the order of the latest day and time information (col. 8, lines 35-36 and col. 8, line 48).

Regarding claim 14, Mizoguchi '215 discloses wherein the reproduction unit reproduces the information contained in the reproduction object selected by the selection unit in the order of the latest day and time information (noted that the latest image data captured on 1993/01/22/08/00 is respectively selected and reproduced as shown in Figs. 9A-9D; see col. 8, lines 35-36 and col. 28, lines 48).

Regarding claim 15, Mizoguchi '215 discloses a method for processing information, comprising the steps of:

inputting information (col. 5, lines 40-45 and col. 8, lines 40+); clocking day and time information at the time of the inputting (col. 5, lines 65-col. 6, lines 5); recording the information input and the day and time information clocked at the time of inputting the information (col. 5, lines 30-35 and col. 6, lines 5-21);

composing a reproduction object according to the day and time information recorded by the step of recording (Fig. 4B and col. 5, lines 30-35; col. 7, lines 10+; col. 8, lines 10+);

selecting, in desired order, at least one reproduction object composed in the composing step (i.e., noted that recorded information may be selected in desired order by selecting at least one of "Event", "Person", "Place" or "Other Data" as shown in 9A-9D; Also see col. 8, lines 10+); and reproducing the information contained in the reproduction object selected by the step

of selecting, according to the day and time information means (see Figs. 10 & 9A-9D; col. 5, lines 30-36, col. 7, lines 55+ and col. 8, lines 40+).

Regarding claim 17, Mizoguchi '215 discloses wherein the selection unit selects the reproduction object in the order of the latest day and time information (col. 8, lines 35-36 and col. 8, line 48).

Regarding claim 19, Mizoguchi '215 discloses wherein the step of reproduction comprises the step of reproducing the information contained in the reproduction object in the order of the latest day and time information (noted that the latest image data captured on 1993/01/22/08/00 is respectively selected and reproduced as shown in Figs. 9A-9D; see col. 8, lines 35-36 and col. 28, lines 48).

Regarding claim 20, Mizoguchi '215 discloses wherein the step of composing comprises the step of composing a predetermined reproduction object if the time difference between the input day and time information of a first input information, and the input day and time of a second input information recorded immediately before or immediately after the first input information, is within a predetermined time interval (i.e., noted that if the input information, e.g., the information A and information B as shown in Fig. 7A, are within a predetermined time interval such that "1993/01/22/08/00-1993/01/22/17/00", then such information is composed as a predetermined reproduction object such as "Golf"; Please see col. 7, lines 1-35 and the figures' 4A-4C and 7A-7B of Mizoguchi '215).

7. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. (U.S. 5,819,261).

Regarding claim 8, Takahashi '261 discloses an information processing apparatus of the type which record information (Figs.1, 20, 22, 38 and 40), comprising:

input means for inputting information (Figs. 1 & 3; col. 9, lines 15+); clock means for clocking day or day and time (col. 11, lines 30+, col. 25, lines 35+, col. 30, lines 55+);

recording means for recording the information input from the input means, and for recording day or day and time information at the time of inputting the information (Figs. 1-2; col. 9, lines 5+, col. 11, lines 30+, col. 13, lines 50+);

calendar display means for displaying a calendar (see Figs. 4/38, col. 11, lines 30+);

designation means for designating predetermined day or day and time information in the calendar displayed by the calendar display means (Figs. 4-7, 22 and 24; col. 4, lines 20+ and col. 33, lines 2+);

retrieval means for retrieving information having day/time information designated by the designation means matching that of the day/time information from the recording means (Figs. 1, 20, 22, 38 and 40; col. 12, lines 1-40 and col. 43, lines 20+); and

reproduction means for reproducing information retrieved by the retrieval means (Figs. 3, 8 and 38-40; col. 14, lines 5+ and col. 43, lines 34+).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi '261 in view of Kusano (U.S. 5,796,397).

Regarding claim 9, although Takahashi '261 discloses that based on the designated day and time information (i.e., see Fig. 22) inputted by the user, the latest time information (i.e., noted that the latest data/time information may be selected by checking the area 1513 as shown in the figure 24, so that latest time information of the particular day may be retrieved and displayed as shown in Fig. 41) is retrieved, if the designated day/time information matches the day/time information from the recording means (see Figs. 22, 24, 30 & 38-41; col. 33, lines 1+ and col. 43, lines 20+), Takahashi '261 does not explicitly show that the latest input day and time information is retrieved, if the designated day and time information does not match with the day and time information from the recording means as recited in claim 9.

However, the above mentioned claimed limitations are well-known in the art as evidenced by Kusano '397. In particular, Kusano '397 teaches the information process apparatus (Figs. 2) having the retrieval means retrieves (i.e., col. 2, lines 35-40) information having the input day and time information designated by the designation means (i.e., Figs. ½, the elements 1, 5, 12-13 and 15; col. 5, lines 54+ and Fig. 6) matching that of the day and time information from the recording means (i.e., noted that when there is a match between the designated schedule data inputted by the user and the previous recorded schedule data, then corresponding date and time information are retrieved and display as shown in Fig. 6; Also see col. 5, lines 57+ and col. 6, lines 2-11).

Furthermore, Kusano '397 states at col. 6, lines 7-18 that for convenience sake that if there is no match between the current date of the schedule data designated by the user's input and the previously recorded date of the schedule data, then the nearest schedule data (i.e., noted that nearest schedule data constitutes either the closest or latest day/time information, because the schedule data contains the day/time information as shown in Fig. 6) contain corresponding date and time information is respectively retrieved by the retrieval means. For example, assuming that the user input designated the current date of the schedule data is 10/26/1994 and if this date does not match with the previously recorded schedule data, then the latest date of 10/25/1994 and the corresponding time information (i.e., 8:30 AM - 12-30 PM as shown in Fig. 6) is retrieved and respectively display for the user convenience.

In view of this, when considering the system of Takahashi '261 and the well-established teaching of Kusano '397 as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Takahashi '261 by providing a retrieving means for retrieving information having the latest input day and time, if no information having the day and time designated by the designation means matches the day and time information from the recording means as taught by Kusano '397 because Kusano '397 suggested at col. 6, line 14 and col. 10, lines 8+ that such a modification would allow the user to conveniently decide the application for which the input data is registered based on the latest/nearest schedule data and this makes it possible to reduce the user's labor for reentering the data every time there is no matching has been found.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 703-306-3021. The examiner can normally be reached on Mon-Fri (9-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aung S. Moe
Primary Examiner
Art Unit 2612

A. Moe
August 3, 2004